

DEPARTMENT OF ENVIRONMENTAL PROTECTION
(See Issuing Division below)**PERMIT***

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1800-93-0004.4		Application No.	
Issuance Date JUN 29 2000	Effective Date JUN 29 2000	Expiration Date JUN 29 2005	
Name and Address of Applicant NJ Department of Transportation Office of Project Management P. O. Box 600 Trenton, NJ 08625-0600		Name and Address of Owner	Name and Address of Operator
Location of Activity/Facility (Street Address) Somerville, Raritan, Hillsborough Somerset County Lot _____ Block _____		Issuing Division Land Use Regulation Program	Statute(s) NJSA 13:9B-1et seq.
Type of Permit	Freshwater Wetlands Individual Permit Water Quality Certificate		Maximum Approved Capacity, if applicable

This permit grants permission to:

Construct a highway project known as the Route 206 Dualization and Reconstruction project, Section 15-J. This project will impact 5.79 acres of wetlands and .28 of an acre of open water, in order to widen existing the existing Route 206 highway from one (1) travel lane in each direction to two (2) travel lanes in each direction. The project will also require the construction of a new bridge crossing of the Raritan River and Dukes Brook. The project is located along the existing Route 206 easement in Somerset County, from Frelinghuysen Avenue in Raritan Borough to Brown Avenue in Hillsborough Township.

Prepared By:

Andy Clark

(See page 4 for Manager's signature.)

Revised Date	Approved by the Department of Environmental Protection	
Name (Print or Type)		Title
Signature		Date

*The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

This permit is subject to the following general conditions:

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of this permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.

A handwritten signature in dark ink is written across the bottom of the page. Below the signature, there is a faint, rectangular official stamp or seal, which appears to contain some text but is mostly illegible due to fading and the quality of the scan.

TERMS AND CONDITIONS:

IN ADDITION TO THE GENERAL CONDITIONS PRINTED ON THE BACK OF PAGE ONE OF THIS PERMIT, THE FOLLOWING CONDITIONS SHALL ALSO APPLY:

9. Limit and Extent of Approval

- a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
- b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until the Department has granted a new approval.

10. Method of Construction

- a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall be subject to inspection at any time by representatives of the Department to ensure the continuous application of the provisions of this permit.
- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
- c. All activities authorized by this permit shall be stabilized in accordance with Standards for Soil Erosion and Sediment Control in New Jersey (obtainable from local Soil Conservation District Offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.

11. Responsibilities of Applicant

- a. The granting of this permit does not in any way relieve the applicant and/or its agents from the responsibility for damages caused by any construction or activities hereby approved, nor does the Department accept responsibility for any structural designs.

FRESHWATER WETLANDS PERMIT NO. 1800-93-0004.4-FWIP

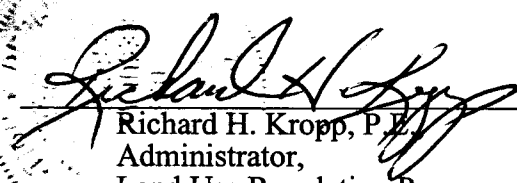
TERMS AND CONDITIONS:

- b. No construction authorized by this permit may begin until the enclosed permit acceptance form has been signed by the applicant and is returned to the Department. By signing and submitting this form, the applicant accepts this permit in its entirety and agrees to adhere to all of its terms and conditions. Please be advised that this permit may be declared null and void should it be determined that adequate measures had not been taken by the applicant and/or its agents to ensure the continuous implementation of these terms and conditions.
 - c. Within ten (10) days of the receipt of this permit by the applicant, this permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this permit is located. Verified notice of this action shall be forwarded to the Department immediately thereafter.
 - d. The enclosed construction notice shall be completed by the applicant or its agent and submitted to the Department at least fourteen (14) days prior to the commencement of the herein approved activities.
 - e. The enclosed completion report shall be completed by a Professional Engineer licensed in the State of New Jersey and submitted to the Department within thirty (30) days after completion of the herein approved activities.
12. The permittee is required to provide mitigation to compensate for the wetlands and waters disturbed by this permit. Mitigation is the in-kind compensation (replacement) of the ecological value of the wetlands lost, pursuant to Section 14.2 of the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A et seq.). Acceptable mitigation includes the creation of wetlands and State open waters at a minimum of a 2 to 1 ratio (5.79 of an acre of wetlands lost = 11.58 acres of wetlands to be created, .28 of an acre of State open water filled = the creation of .56 of an acre of open waters); the purchase/preservation of riparian lands at a ratio of 27 to 1; or the purchase of credits at an approved mitigation bank.
13. N.J.D.O.T. is required to provide half of the required 2 to 1 mitigation in the form of either wetland creation or the purchase of credits at an approved mitigation bank. The remaining mitigation may be satisfied by the purchase of riparian land or stream corridor easements at a ratio of 27 to 1, within the Raritan River watershed.
- Therefore, half of the required mitigation shall be the creation of 3.39 acres of forested wetlands, 1.90 acres of scrub/shrub wetlands, 0.50 of an acre of emergent wetlands and 0.28 of an acre of open water, with the mitigation goal being the creation of wetlands of similar species composition, density and quality to those lost, or the purchase of 5.79 acres worth of wetland mitigation credits and .28 acres of open water credits. In addition, the applicant must demonstrate that at least 156 acres ($5.79 \times 27=156$) of riparian lands have been purchased outright for preservation, placed within a conservation easement, and donated to a local conservation foundation.
14. Pursuant to 7:7A-14.1 Mitigation Goals, mitigation must be completed prior to the start of construction of the next phase of the Rt. 206 Reconstruction and Dualization Project. The next phase of this project is known as section 15-N. The applicant must submit a mitigation status report every six months from the date of issuance of this permit.

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TERMS AND CONDITIONS:

15. If the applicant fails to demonstrate that substantial progress has been made towards the purchase of land for stream corridor protection/preservation easements within one (1) year from the dated of issuance of this permit, the Department may require the applicant to pursue the other mitigation options enumerated in condition #12 above. This may include the creation of wetlands or the purchase of mitigation credits at an approved mitigation bank within the Raritan River Drainage basin.
16. Any discharge of dredged or fill material shall consist of suitable material free from toxic pollutants and shall be maintained in accordance with the Soil Conservation Service's approved plan.
17. The New Jersey Department of Transportation shall be responsible for the success of the final DEP approved mitigation plan.
18. The applicant must sign and return the attached "Acceptance of Revocable Permit" form to the Land Use Regulation Program.
19. A timing restriction of March 15 through June 30 is imposed on any in-stream/streambank aspect of the project in order to protect the spawning of warmwater fish and the trout stocked fishery resource of the waters of the Raritan River.



Richard H. Kropp, P.E.
Administrator,
Land Use Regulation Program

6/27/00
Date